Volume 4, Number 24

Summarizing budgetary issues in legislation scheduled for the House floor

5 October 2004

Week of 4 October 2004

SUSPENSION CALENDAR

1) Honoring the Service of Native American Indians in the United States Armed Forces (H.Con.Res. 306).



This resolution has no budget implications.

- 2) Recognizing the Spirit of Jacob Mock Doub and His Contribution to Encouraging Youth to Be Physically Active and Fit and Expressing the Sense of Congress That "National Take a Kid Mountain Biking Day" Should Be Established in Jacob Mock Doub's Honor (H.Con.Res. 480). This resolution has no budget implications.
- 3) **Patient Navigator, Outreach, and Chronic Disease Prevention Act of 2003** (H.R. 918). This bill authorizes the Secretary of Health and Human Services to make grants for model programs to provide services for cancer and chronic diseases to individuals of health disparity populations. At the time of publication, a cost estimate was not available. Though no final estimate is available, enacting this bill is not expected to increase direct spending or reduce revenue.
- 4) National All Schedules Prescription Electronic Reporting Act of 2003 (H.R. 3015). This bill directs the Secretary of Health and Human Services to establish an electronic system for practitioner monitoring of the dispensing to patients of any Schedule II, III, or IV controlled substance. It establishes certain civil penalties for noncompliance. At the time of publication, a cost estimate was not available. Enacting this bill may lead to an increase in receipts from the new civil penalties, but any such increase is expected to be relatively small.
- 5) *Pancreatic Islet Cell Transplantation Act of 2004* (H.R. 3858). This bill allows any pancreas procured for use in islet cell transplantation research to be counted for certification purposes for qualified organ procurement organization grants. At the time of publication, a cost estimate was not available. Though no final estimate is available, enacting this bill is not expected to increase direct spending or reduce revenue.
- 6) Asthmatic Schoolchildren's Treatment and Health Management Act of 2004 (H.R. 2023). This bill amends the Public Health Service Act [PHSA] to give preference for certain PHSA or asthma-related grants. Specifically, it deals with grants to States that require public elementary and secondary schools to allow students to self-administer medication for treating asthma or anaphylaxis under specified conditions. Enacting this bill would not increase direct spending or reduce revenue.

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PLEASE NOTE: This document addresses budgetary issues only. It should not be taken to address support or opposition on any other grounds. A green flag indicates no serious budgetary or budget compliance concerns. A yellow flag indicates moderate or potential problems. A red flag indicates serious problems. Also note: Floor schedules and legislative details are subject to change after publication.

This document was prepared by the majority staff of the Committee on the Budget, U.S. House of Representatives. It has not been approved by the full committee and therefore may not reflect the views of all the committee's members.

7) Mammography Quality Standards Reauthorization Act of 2004 (H.R. 4555). This bill authorizes the issuance of a temporary renewal certificate to a mammography facility seeking reaccreditation under certain specified circumstances. Enacting the bill would cost \$10 million in 2005 and \$51 million over the 2005-09 period, assuming appropriation of necessary amounts. The bill would not increase direct spending or reduce revenue.

8) Safeguard Against Privacy Invasions [SPY] Act (H.R. 2929). This bill directs the Federal Trade Commission to prohibit the transmission of a spyware program to a computer used by a financial institution or the Federal Government by means of the Internet, unless expressly permitted by the user in response to a clear request. The measure also allows civil penalties for violations. Enacting the bill would not increase direct spending, but it could increase Federal revenue by a negligible amount from the collection of civil penalties.

9) Recognizing Community Organization of Public Access Defibrillation Programs (H.Con.Res. 250).



This resolution has no budget implications.

10) Expressing the Sense of the Congress That Private Health Insurance Companies Should Take a Proactive Role in Promoting Healthy Lifestyles (H.Con.Res. 34).

This resolution has no budget implications. 11) Orderly and Timely Interstate Placement of Foster Children Act of 2004 (H.R. 4504).

This bill requires each State to create procedures for the orderly and timely placement of children, in foster care or for adoption, across State lines. It directs the Secretary of Health and Human Services to make incentive grants to States that complete timely interstate home studies, and authorizes appropriations for those grants. It also revises requirements for checking of child abuse registries to eliminate an opt-out provision. It allows access to the Federal parent locator service to courts in foster care or adoptive placement cases. An estimate had not been completed as to the cost of this measure, but it is not expected to have a significant impact on direct spending nor to reduce revenue.

12) Expressing the Sense of the Congress in Recognition of the Contributions of the Seven Columbia Astronauts by Supporting Establishment of a Columbia Memorial Space Science Learning Center (H.J.Res. 57).



This resolution has no budget implications.

13) Military Personnel Financial Services Protection Act (H.R. 5011). This bill makes it unlawful for any registered investment company [RIC] - i.e., a mutual fund - to issue a periodic payment plan certificate, and for any RIC, depositor, or underwriter to sell a periodic payment plan. These plans have not been marketed to civilians since the 1980s due to their exorbitant fees, the bill finds, but they are being marketed improperly to service members as investment products. The bill does not affect direct spending or revenue.

14) District of Columbia Civil Commitment Modernization Act of 2004 (H.R. 4302). This bill revises the District of Columbia law concerning involuntary commitment of the mentally ill. The bill shifts the provision of care for some mentally ill individuals from St. Elizabeth's Hospital, D.C.'s inpatient psychiatric facility, to local general hospitals and outpatient mental health programs. Because the Medicaid program restricts Federal reimbursement for certain services provided at State psychiatric facilities, this shift would enable more of those individuals to receive Medicaid-funded services. Most of the bill's provisions have been passed by the D.C. Council and signed by the Mayor. Under the Home Rule Act, any legislation enacted by the city must be approved by the Congress. This bill increases Federal Medicaid spending by \$2 million over the 2005-09 period, in each year by less than \$500,000.

(continued on next page)

Page 2 **Budget Week**

15) Honoring the 10 Communities Selected to Receive the 2004 All-America City Award (H.Con.Res. 464).



This resolution has no budget implications.

16) Federal Workforce Flexibility Act of 2003 (S. 129).



This bill, as reported by the Government Reform

Committee, alters the way retirement benefits under the Civil Service Retirement System are calculated for workers with part-time service. The act would apply to workers who performed work prior to 7 April 1986, who have some part-time service, and who retire after the legislation is enacted. The reported bill also allows time spent at service academies to be creditable for civilian retirement. The bill also allows the Office of Personnel Management to authorize agencies to pay enhanced recruitment and relocation bonuses for new or existing career employees. Unlike the current bonuses of 25 percent of basic pay, the enhanced bonuses could total up to 25 percent of annual basic pay for up to 4 consecutive years. The bill, as reported, increases direct spending by \$2 million in fiscal year 2005 and by \$60 million over 5 years. The Government Reform Committee is expected to amend the reported measure before it is considered on the suspension calendar to produce a budget-neutral bill.

17) Special Olympics Sport and Empowerment Act of 2004 (H.R. 5131).

This bill authorizes the Secretary of Education to award grants to the Special Olympics to carry out a variety of programs. The grants may fund activities that promote the expansion of Special Olympics, including activities to increase the participation of individuals with intellectual disabilities in the United States. The grants also may help the design and implementation of Special Olympics education programs, including character education and volunteer programs. The bill is not expected to increase direct spending, though no cost estimate has been finalized.

18) To Temporarily Extend the Programs Under the Higher Education Act of 1965 (H.R. 5185). This bill extends the authorization of appropriations for, and the duration of, each program authorized under the Higher Education Act of 1965 through fiscal year 2005. The bill neither increases direct spending nor reduces revenue.

19) To Reduce Certain Special Allowance Payments and Provide Additional Teacher Loan Forgiveness on Federal Student Loans (H.R. 5186).



This bill eliminates a provision of current law that allows a 9.5-percent interest rate on certain federally guaranteed loans. Current law allows guaranty agencies to charge the government at this rate, even if they are able to obtain lower loan rates. Hence the change in law is expected to yield savings to the government. The bill also increases Federal student loan forgiveness for math, science, and special education teachers who agree to teach for 5 or more years in high poverty K-12 schools. The maximum amount would go from the current maximum of \$5,000 to a new maximum of \$17,500. This bill is expected to reduce net direct spending by \$2 million over 5 years.

20) Supporting Efforts to Promote Greater Public Awareness of Effective Runaway Youth Prevention Programs and the Need for Safe and Productive Alternatives, Resources, and' Supports for Youth in High-Risk Situations (H.Res. 805).



This resolution has no budget implications.

21) Expressing the Sense of the Congress That Student Travel Is a Vital Component of the Educational Process (H.Con.Res. 131).



This resolution has no budget implications.

22) Supporting the Goals and Ideals of "Lights On Afterschool," a National Celebration of After-School Programs (H.Res. 809).



This resolution has no budget implications.

(continued on next page)

Page 3 **Budget Week**

23) To Amend Section 274A of the Immigration and Nationality Act to Improve the Process for Verifying an Individual's Eligibility for Employment (H.R. 4306).

This bill amends the Immigration and Nationality Act to authorize both handwritten and electronic signatures on attestation forms required by the employment verification system. At the time of publication, a cost estimate was not available, but enacting the bill is not expected to increase direct spending or reduce revenue.

- 24) Access to Rural Physicians Improvement Act of 2004 (H.R. 4453).
- This bill provides a 1-year extension of the deadline for seeking waivers of the 2-year foreign residence requirement for certain foreign medical graduates [FMGs]. Specifically, it applies to graduates who entered the United States on J-1 exchange visitor visas and are seeking to change status. The bill allows an exemption to the numerical limit on H-1B (specialty occupation) visas for certain FMGs changing their visa status from J-1 to H-1B. At the time of publication, a cost estimate was not available, but enacting the bill is not expected to increase direct spending or reduce revenue.
- 25) **Mentally III Offender Treatment and Crime Reduction Act of 2003** (S. 1194). This bill authorizes grants for eligible State and local governments, and Indian tribes and organizations, to plan and implement programs to improve the treatment of criminal offenders with mental illnesses or substance abuse disorders. Enacting the bill would cost approximately \$384 million over the 2005-09 period, subject to appropriations. The bill does not increase direct spending or reduce revenue.
- 26) To Extend Certain Authority of the Supreme Court Police, Modify the Venue of Prosecutions Relating to the Supreme Court Building and Grounds, and Authorize the Acceptance of Gifts to the United States Supreme Court (S. 2742).

This bill extends, for an additional 4 years, a "sunset" provision on authority of the Supreme Court Police to protect the Justices and other Court officials and official guests away from the Court building and grounds. It also adds the United States District Court for the District of Columbia to the existing statute establishing venue for the prosecution of violations of statutes or regulations governing the Supreme Court building and grounds. Though no final estimate is available, the bill is not expected to increase direct spending or reduce revenue.

27) Honoring the Young Victims of the Sixteenth Street Baptist Church Bombing, Recognizing the Historical Significance of the Tragic Event, and Commending the Efforts of Law Enforcement Personnel to Bring the Perpetrators of this Crime to Justice on the Occasion of its 40th Anniversary (H.Res. 389).

This resolution has no budget implications.

28) To Confirm the Authority of the Secretary of Agriculture and the Commodity Credit Corporation to Enter into Memorandums of Understanding with a State Regarding the Collection of Approved State Commodity Assessments on Behalf of the State from the Proceeds of Marketing Assistance Loans (H.R. 4620).

This bill directs the Secretary of Agriculture or the Commodity Credit Corporation to enter into a memorandum of understanding with a State to collect approved State commodity assessments from the proceeds of marketing assistance loans. It prohibits the Secretary and the corporation from terminating the memorandum of understanding on the grounds that the State has changed the assessment rate. A cost estimate has not been finalized for this measure, but it is not expected to have a significant effect on direct spending.

29) To Provide for the Development of a National Plan for the Control and Management of Sudden Oak Death, a Tree Disease Caused by the Fungus-Like Pathogen Phytophthora Ramorum (H.R. 4569).

This bill directs the Secretary of Agriculture, through the Animal Plant and Health Inspection Service, to

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Budget Week Page 4

develop a national plan to control and manage Sudden Oak Death, a forest disease caused by the fungus-like pathogen *Phytophthora ramorum*. A cost estimate for this measure has not been completed, but it is not expected to increase direct spending or reduce revenue.

30) **Pennsylvania National Forest Improvement Act of 2003** (H.R. 3514). This bill authorizes the Secretary of Agriculture to convey certain National Forest System lands and administrative sites in Pennsylvania. It also allows the Secretary to convey the Sheffield Ranger District Headquarters to the Warren County Development Association, Warren County, Pennsylvania. It also allows the Secretary to convey, without compensation, the Marienville ranger residence to the Marienville Volunteer Fire Department, Forest County, PA. Though no final estimate is available, this bill is not expected to cause a net increase in direct spending.

- 31) To Amend the Agricultural Adjustment Act to Remove the Requirement That Processors Be Members of an Agency Administering a Marketing Order Applicable to Pears (H.R. 2984). This bill eliminates pear marketing order requirements that a processor be a member of an agency administering a marketing order, and that processor and producer agency representation be equal with respect to a marketing order for canned or frozen pears. Though no final estimate is available, the bill is not expected to increase direct spending or reduce revenue.
- 32) Recognizing the Establishment of Hunters for the Hungry Programs Across the United States and the Contributions of Those Programs to Efforts to Decrease Hunger And Help Feed Those in Need (H.Res. 481).



This resolution has no budget implications.

33) Expressing the Support of the House of Representatives for the Efforts of Organizations Such as Second Harvest to Provide Emergency Food Assistance to Hungry People in the United States, and Encouraging All Americans to Provide Volunteer Services and Other Support for Local Antihunger Advocacy Efforts and Hunger Relief Charities, Including Food Banks, Food Rescue Organizations, Food Pantries, Soup Kitchens, and Emergency Shelters (H.Res. 261).



This resolution has no budget implications.

34) To Amend the Department of Agriculture Organic Act of 1944 to Ensure That the Dependents of Employees of the Forest Service Stationed in Puerto Rico Receive a High-Quality Elementary and Secondary Education (H.R. 5042).



This bill requires the Secretary of Agriculture to cover expenses related to the education of certain dependents of Forest Service employees stationed in Puerto Rico. Those expenses would include tuition at primary and secondary schools, and the cost of transporting students to those schools. The bill specifies that the Forest Service could use any funds available to the agency to pay for those costs, including permanently appropriated funds. From the number of dependents whose expenses would be covered by the agency and the typical cost of tuition and transportation, the bill is expected to increase direct spending by about \$350,000 a year. The bill does not reduce revenue.

35) To Authorize the Secretary of Agriculture to Sell or Exchange All or Part of Certain Administrative Sites and Other Land in the Ozark-st. Francis and Ouachita National Forests and to Use Funds Derived from the Sale or Exchange to Acquire, Construct, or Improve Administrative Sites (S. 33).

This bill authorizes the Secretary of Agriculture to sell or exchange administrative sites and land in the Ouachita National Forest, Arkansas and Oklahoma, and the Ozark-St. Francis National Forest, Arkansas. The bill will not increase net direct spending nor reduce revenue.

(continued on next page)

Budget Week Page 5

36) To Provide for the Use by the State of North Carolina of Federal Lands, Improvements, Equipment, and Resource Materials at the Oxford Research Station in Granville County, North Carolina (H.R. 2119).



This bill directs the Secretary of Agriculture to give 4.28 acres of Federal land to the State of North Carolina. The land does not generate any receipts and is not expected to do so over the next 10 years. The bill does not increase direct spending nor reduce revenue.

37) Internet Spyware [I-SPY] Prevention Act of 2004 (H.R. 4661).



This bill establishes new federal crimes for the use of certain computer spyware to collect personal information or to commit a Federal criminal offense. It authorizes \$40 million over the 2005-08 period, subject to appropriations, for the Attorney General to prosecute violations of the new law. The bill neither increases direct spending nor reduces revenue.

LEGISLATION CONSIDERED UNDER A RULE

Justice for All Act of 2004 (H.R. 5107). Bill:



Judiciary Committee:

Summary: This bill seeks to eliminate the substantial backlog of DNA samples collected from crime

> scenes and convicted offenders, and to improve and expand the DNA testing capacity of Federal, State and local crime labs. It also provides post-conviction testing of DNA evidence to exonerate the innocent and increases the per year compensation amount that

could be paid to certain persons wrongfully convicted of crimes by the Federal

Government.

Cost: According to the Congressional Budget Office, the bill will cost \$1.4 billion over the 2005-

09 period, subject to appropriations. It could increase direct spending by negligible

amounts due to higher payments to persons wrongfully convicted.

Budget Act: Enacting this bill will not violate the Congressional Budget Act.

Bill: 9/11 Recommendations Implementation Act (H.R. 10).

Intelligence; Armed Services; Financial Services; Government Reform; Judiciary Committee:

This bill makes a wide variety of changes to the intelligence capabilities of the United Summary:

> States. The provisions were reported by five separate House committees and are expected to be combined, and in some cases modified, prior to consideration on the floor. Hence the final version of the bill may not be identical to the provisions reported by the

respective committees.

The bill establishes a National Intelligence Director to serve as the head of the intelligence community; act as principal adviser for intelligence matters related to national security; and manage, oversee, and direct the execution of the National Intelligence Program (formerly the National Foreign Intelligence Program). It establishes a National Intelligence Council to produce national intelligence estimates for the Federal Government and evaluate the collection and production of intelligence by the intelligence community.

It also creates a new National Counterterrorism Center to analyze and integrate all U.S. intelligence pertaining to terrorism and counterterrorism and conduct strategic operational planning for counterterrorism activities.

The bill expands the jurisdictional bases and scope of the prohibition against weapons of mass destruction [WMDs], and includes chemical weapons within the definition of WMDs. It provides for the use of biometric technology in airport access control systems. It directs

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Page 6 **Budget Week**

the Secretary of Homeland Security to prepare and update a transportation security strategic plan for defending aviation assets.

The bill increases the number of full-time border patrol agents and immigration and customs enforcement investigators, and provides for the expedited deportation of alien terrorists and supporters of terrorism. It provides for minimum documentation requirements and issuance standards for Federal recognition purposes, for driver's licenses, identification cards, and birth certificates.

Cost:

No cost estimate had been completed at the time of the preparation of this *Budget Week*. In general, most funding for intelligence activities is provided through the annual Defense Appropriations Act, and is considered classified. This bill more broadly effects the budget: for instance, the Department of Homeland Security and the Justice Department will be affected significantly. It is expected, though, that most of the changes will effect discretionary spending accounts and the way those accounts are administered.

Budget Act:

Because no estimate is available for a bill making such broad changes to current law, it is not possible at this time to determine whether the measure violates any provisions of the Congressional Budget Act.

Prepared by The Committee on the Budget

Budget Week Page 7